FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

March 11, 2024	
CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS	
v. NM	

DEPUTY

CHRISTOPHER ROBINSON,

Plaintiff,

v.

CIVIL NO. SA-23-CV-00734-OLG-HJB

V. ESCORZA, K. GARZA, and ALAMO HEIGHTS POLICE DEPARTMENT,

Defendants.

ORDER ON REPORT AND RECOMMENDATION

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The Court has considered United States Magistrate Judge Henry J. Bemporad's Report and Recommendation (R&R), filed January 2, 2024, concerning the Motion to Dismiss filed by Defendants V. Escorza and K. Garza. (See R&R, Dkt. No. 15.)

A party who wishes to object to a Magistrate Judge's findings and recommendations must serve and file specific written objections within fourteen days. FED. R. CIV. P. 72(b)(2). Plaintiff's pro se response to the R&R—submitted via email to Judge Bemporad's chambers—was filed on January 11, 2024 (see Dkt. No. 18), pursuant to Judge Bemporad's Order dated January 16, 2024 (see Dkt. No. 17).

When a party objects to an R&R, the Court must make a de novo determination as to "any part of the magistrate judge's disposition that has been properly objected to." FED. R. CIV. P. 72(b)(3); see United States. v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989), cert. denied, 492 U.S. 918 (1989). Objections must be specific; frivolous, conclusory, or general objections need not be considered by the district court. Battle v. U.S. Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987) (quoting Nettles v. Wainwright, 677 F.2d 404, 410 n.8 (5th Cir. 1982), overruled on other grounds by Douglass v. U.S. Auto. Ass'n, 79 F.3d 1415 (5th Cir. 1996)). Any portions of the

Magistrate Judge's findings or recommendations that were not objected to are reviewed for clear

error. Wilson, 864 F.2d at 1221.

Plaintiff's response to the R&R—a one-page document entitled, "Order"—does not present

any specific or non-frivolous objection to the Magistrate Judge's findings or recommendations. As

such, the Court need not conduct a de novo review. The Court has thus reviewed the R&R for clear

error and finds that the R&R is neither clearly erroneous nor contrary to law.

Accordingly, the Court ACCEPTS the Magistrate Judge's R&R (Dkt. No. 15) and, for the

reasons set forth therein, Defendants V. Escorza and K. Garza's Motion to Dismiss (Dkt. No. 5) is

GRANTED.

It is further **ORDERED** that Plaintiff may file a motion for leave to amend his complaint

within ten (10) days after being served with a copy of this Order.

It is so **ORDERED**.

SIGNED this ____ day of March, 2024.

ORLANDO L. GARCIA United States District Judge

2